

# SIKKIM



## GOVERNMENT

## GAZETTE

**EXTRAORDINARY  
PUBLISHED BY AUTHORITY**

Gangtok Friday 06<sup>th</sup> December, 2019 No. 569

GOVERNMENT OF SIKKIM  
MOTOR VEHICLES DIVISION, TRANSPORT DEPARTMENT  
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No. 153/MVD/T

Dated: 5/12/2019

### NOTIFICATION

In exercise of the powers conferred by sub section (1) of section 200 of the Motor Vehicles Act, 1988 (55 of 1988) and in supersession of the Notification No. 121/MV/T dated: 29/7/2010 and published in the Sikkim Government Gazette no. 399 dated 9<sup>th</sup> August 2010, the existing Schedule –II in the said notification shall be substituted as under:

### “SCHEDULE II”

| Sections    | Brief Description of Offences   | Amount of Fine          |  |
|-------------|---|-------------------------|--|
|             |   | 1 <sup>st</sup> Offence | 2 <sup>nd</sup> Offence & subsequent Offence |
| 177         | General Provision   | 500                     | 1500   |
| 177 A       | Violation of section 118 (driving regulations)                                      | 500                     | 1000   |
| 178 (1)     | Penalty for travelling without pass or ticket in Stage Carriages                    | 500                     | 1000   |
| 178 (2)(b)  | Penalty for dereliction of duty on the part of conductor in case of Stage carriages | 500                     | 1000   |
| 178 (3)(a)  | Refusal to carry passengers in case of two wheelers                                 | 50                      | 100  |
| 178 (3) (b) | Refusal to carry passengers in case of contract carriages                           | 500                     | —  |
| 179 (1)     | Disobedience of order, obstruction  | 2000                    | —  |
| 179 (2)     | Refusal of Information  | 2000                    | —  |
| 180         | Allowing unauthorised person to drive vehicles                                      | 5000                    | —  |

|           |  |                               |        |
|-----------|--|-------------------------------|--------|
| 181       | Driving vehicles without holding driving license or driving by under age persons   | 5000                          | —      |
| 182 (1)   | Driving by a person who is disqualified under the Act for holding or obtaining a driving License.  | 10000                         | —      |
| 182 (2)   | Acting as a conductor of a stage carriage by a person who is disqualified under the Act for holding or obtaining a conductors License  | 10000                         | —      |
| 182 A (1) | Whoever, being a manufacture importer, dealer of Motor Vehicles, sells or delivers or alters or offer to sell or deliver a vehicle i.e in contravention of the provisions of chapter VII of the Act and regulations made thereunder                            | 1,00,000                      | —      |
| 182 A (3) | Whoever, sells or offers to sell, or permits the sale of component of Motor Vehicles, which has been notified as a critical safety component by the central Government and which does not comply with chapter VII or the rules and regulations made thereunder | 1,00,000 / per such component | —      |
| 182 A (4) | Whoever being a owner of motor vehicle, alters a motor vehicle, including by way of retrofitting of motor vehicle parts, in a manner not permitted under the Act or the rules and regulation made thereunder   | 5000 per alteration           |        |
| 182 B     | Whoever contravenes the provision of section 62 A  | 5000                          | 10000  |
| 183 (1)   | Driving at excessive speed   |                               |        |
|           | (a) For light motor vehicle  | 2000                          | —      |
|           | (b) For medium or heavy goods /passanger vehicle   | 4000                          | —      |
| 184       | (c ) Use of hand held communication device while driving   | 5000                          | 10,000 |
|           | (d) passing or overtaking other vehicles in a manner contrary to law   | 2000                          | 10,000 |
| 186       | Driving when mentaly or physically unfit to drive  | 1000                          | 2000   |
| 189       | Racing and trials of speed   | 5000                          | 10000  |
| 190 (2)   | Any person who drives or cause or allows to be driven, in any public place a motor vehicle which violates the standards prescribed in relation to road safety, control of noise and air pollution  | 10,000                        | 10,000 |

|             |   |  |  |
|-------------|---|--|--|
| 192 (1)     | Using vehicle without Registration  | (i) for 2W/3W<br>Rs 1000<br>(ii) for LMV<br>Rs 3000<br>(iii) MGV/MPV/<br>HGV & others<br>Rs 5000   | (i) for 2W/3W<br>Rs 3000<br>(ii) for LMV<br>Rs 5000<br>(iii) MGV/MPV/<br>HGV & others<br>Rs 10000  |
| 192 A       | Using vehicles without permits or in violations of permit conditions  | (a) LMV/two wheeler 3000<br>(b) medium goods vehicles, medium passenger vehicles, heavy goods vehicles and heavy passenger motor vehicles 5000 | (a) LMV/two wheeler 5000<br>medium goods vehicles, medium passenger vehicles, heavy goods vehicles and heavy passenger motor vehicles 10,000 |
| 194 (1)     | Driving vehicle exceeding permissible weight  | 20000 +<br>2000/ton of<br>excess load  | —  |
| 194 (1A)    | Whoever drives a motor vehicles or causes or allows a motor vehicle to be driven when such motor vehicle is loaded in such a manner that the load or any part anything extends laterally beyond the side of the body or to the front or to the rear or in height beyond the permissible limit | 20,000   | —  |
| 194 (2)     | Whoever refuses to stop and submit his vehicle to weighing after being directed to do so by any officer authorised in this behalf under section 114 or removes or causes the removal of the load or part of it prior to weighing  | 40,000   | —  |
| 194 A       | Whoever drives a transport vehicle or causes or allows a transport vehicle to be driven while carrying more passengers than is authorised in the certificate of registration of such transport vehicle or the permit conditions applicable to such transport vehicle.                         | 200 / excess<br>passenger  | —  |
| 194 (B) (1) | Whoever, driver motor vehicles without wearing a seat belt or carries a passenger not wearing seat belt.  | 1000   | —  |
| 194 (B) (2) | Whoever, driver a motor vehicle or causes or allows a motor vehicle to be driven with a child who, not having attained the age of fourteen years, is not secured by a safety belt or a child restraint.   | 1000   | —  |

|         |  |       |      |
|---------|--|-------|------|
| 194 (C) | Whoever, drivers a motor cycle or causes or allows a motor cycle to be driven in contraventions of the provisions of section 128 (safety measures for motor cycle or pillion riders) the rules or regulations made thereunder.   | 1000  | —    |
| 194 (D) | Whoevwer, drives a motor cycle or causes or allows a motor cycle to be driven in contraventions of the provisions of section 129 (without wearing protective head gear)  | 1000  | —    |
| 194 (E) | Whoever, while driving a motor vehicle fails to draw to the side of the road, on the approach of a fire service vehicles or of an ambulance or other emergency vehicle   | 10000 | —    |
| 194 (F) | Whoever, (a) while driving a motor vehicle (i) sounds the horn needlessly or continuously or more than necessary to ensure safety, or (ii) sounds the horn in an area with a traffic sign prohibiting the use of a horn, or (b) drives a motor vehicle which makes use of a cut out by which exhaust gases are released other than through the silencer. | 1000  | 2000 |
| 196     | Driving uninsured vehicle  | 2000  | 4000 |
| 198     | Unauthorised inteference with vehicle  | 1000  | —    |

By Order.

**Raju Basnet (Mr.)**  
**SECRETARY**  
**TRANSPORT DEPARTMENT**